

MASSACHUSETTS

***Specific requirement to report sexual assault?** There is mandatory rape reporting ;however, the report may not include the victim's name, address or any other identifying information.*

***Requirement to report non-accidental or intentional injuries?** No.*

***Requirement to report injuries caused by criminal conduct?** No.*

***Additional statutes that may impact competent adult victims of sexual assault?** It is mandatory to report gunshot wounds, knife wounds and certain burns.*

STATUTES THAT MANDATE RAPE REPORTING

ALM GL ch. 112, § 12A1/2 (2005): Mandatory reporting required

§ 12A1/2. Reporting of Rape or Sexual Assault Crimes; Confidentiality of Victim's Identity; Penalty.

Every physician attending, treating, or examining a victim of rape or sexual assault, or, whenever any such case is treated in a hospital, sanatorium or other institution, the manager, superintendent or other person in charge thereof, shall report such case at once to the criminal history systems board and to the police of the town where the rape or sexual assault occurred but shall not include the victim's name, address, or any other identifying information. The report shall describe the general area where the attack occurred.

Whoever violates any provision of this section shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars.

REPORTING STATUTES WHICH MAY IMPACT RAPE VICTIMS

ALM GL ch. 112, § 12A. Reports of Treatment of Certain Wounds, etc.; Exceptions; Penalty.

Every physician attending or treating a case of bullet wound, gunshot wound, powder burn or any other injury arising from or caused by the discharge of a gun, pistol, BB gun, or other air rifle or firearm, or examining or treating a person with a burn injury affecting five per cent or more of the surface area of his body, or, whenever any such case is treated in a hospital, sanatorium or other institution, the manager, superintendent or other person in charge thereof, shall report such case at once to the colonel of the state police and to the police of the town where such physician, hospital, sanatorium or institution is located or, in the case of burn injuries, notification shall be made at once to the state fire marshal and to the police of the town where the burn injury occurred. This section

shall not apply to such wounds, burns or injuries received by any member of the armed forces of the United States or of the commonwealth while engaged in the actual performance of duty. Every physician attending or treating a case of wound or injury caused by a knife or sharp or pointed instrument shall, if in his opinion a criminal act was involved, report such case forthwith to the police authorities of the town in which he attended or treated such wound or injury. Whoever violates any provision of this section shall be punished by a fine of not less than fifty nor more than one hundred dollars. The colonel of state police shall make available to the commissioner of public health all reports regarding: (i) bullet wounds, gunshot wounds, powder burns or any other injury arising from or caused by the discharge of a rifle, shotgun, firearm or air rifle; (ii) burn injuries affecting 5 per cent or more of the surface area of the human body; and (iii) wounds or injuries caused by a knife or other sharp or pointed instrument; provided, however, that personal information identifying the victim or the perpetrator may be redacted if the release of such information may compromise an investigation.

HISTORY:

1927, 69; 1943, 41; 1962, 407; 1963, 108; 1982, 218; 1986, 231; 1986, 557, § 106; 1996, 151, §§ 268, 269; 1998, 180, § 5; 1998, 358, § 2

ALM GL ch. 268, § 40. Failure of Witness to Report Aggravated Rape, Rape, Murder, Manslaughter, or Armed Robbery; Penalty.

Whoever knows that another person is a victim of aggravated rape, rape, murder, manslaughter or armed robbery and is at the scene of said crime shall, to the extent that said person can do so without danger or peril to himself or others, report said crime to an appropriate law enforcement official as soon as reasonably practicable. Any person who violates this section shall be punished by a fine of not less than five hundred nor more than two thousand and five hundred dollars.

HISTORY:

1927, 69; 1943, 41; 1962, 407; 1963, 108; 1982, 218; 1986, 231; 1986, 557, § 106; 1996, 151, §§ 268, 269; 1998, 180, § 5; 1998, 358, § 2